

REMARKS

This application has been carefully reviewed in light of the Examiner's action dated February 26, 2003. Claims 40 and 50 have been amended and Claims 41-44, 54, and 56-75 have been cancelled without prejudice. Reconsideration and full allowance are respectfully requested.

Initially, Applicant notes with appreciation the Examiner's allowance of Claim 76. In particular, the Examiner stated that the language "said stored prioritization information establishing a basis independent of proximity for prioritizing said first and second service provider information," distinguishes the primary Brohoff patent. Applicant notes that Claim 76 is directed to a combination of features, including the noted language, which are believed to be patentable over the art of record.

The language noted above has now been incorporated into independent Claim 40. In this regard, Applicant notes that the amendments submitted herewith are limited to incorporating this language into independent Claim 40 and correcting typographical errors in Claim 50. Accordingly, it is not believed that any amendments are hereby presented which would require further searching and consideration by the Examiner.

In the Examiner's action, the Examiner objected to Claim 41 due to an informality. Claim 41 has been cancelled and it is therefore believed that this objection has been obviated. Additionally, Claims 55-66 were rejected under 35 U.S.C. § 112. These claims have also been cancelled and it is believed that the rejection has therefore been obviated.

Claims 40, 42-55 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brohoff (U.S. Patent No. 6,108,533) in view of Bolduc et al (U.S. Patent No. 6,157,841). As noted above, Claim 40 has been amended to include the language found by the Examiner to distinguish Brohoff. As presented, Claim 40 is directed to a combination of features, including the noted language, believed to be patentable over Brohoff and Bolduc. Accordingly, it is believed that this rejection has been overcome with respect to Claim 40 and its dependent claims.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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